

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

Case Number: 19-CR-88-JED

Date: 12-31-2019

Sebastian Cabelo,

Court Time: 1:00 p.m.

Defendant.

Actual Court Time: 1:05 a.m. to 1:35 a.m.

MINUTE SHEET - SENTENCING

Use Signature Block,

L. Lyles, Deputy Clerk

Terri Beeler, Reporter

Counsel for Plaintiff: Mark Morgan

Counsel for Defendant: Thomas Wright, Appt.

Probation Officer: Benjamin Ciranowicz

Interpreter: _____ ☐ sworn; ☒ N/A

☒ Defendant appears in person with counsel ☐ Counsel waived ☐ Contested ☒ Uncontested
☒ Plaintiff & Defendant reviewed PSI: ☐ Objs by: ☐ Pltff ☐ Deft; ☒ No Objs; ☒ Court adopts/accepts
☒ 18:3553 Findings re: PSI/Sentence made; ☒ Findings re: Plea made
☒ Sentence re: Guideline; ☒ Departure: ☐ Variance: ☐ Upward ☒ Downward; ☒ Findings made
☒ Defendant and counsel asked if they care to say anything before sentence is pronounced, and no cause to the contrary being shown
☒ Motion [Dkt. 39, 42]: ☒ Granted ☐ Motion [Dkt. _____]: ☐ Denied

SENTENCE: As to Counts 1-4 of the Indictment:

☒ Bureau of Prison for a term of 0 mos Cts 1 & 3; 48 months Cts 2 & 4 ☒ Concurrent (1-3) ☒ Consecutive (2-4) ☐ Not Imposed
☐ Probation for a term of _____ ☐ Concurrent ☐ Consecutive ☐ Not Eligible
☒ Supervised Release for a term of 5 years each count 1-4 ☒ Concurrent ☐ Consecutive ☐ Not Imposed
☐ Fine: \$ _____ ☐ With Interest ☐ Interest Waived ☒ Not Imposed
☐ Restitution: \$ _____ ☐ With Interest ☐ Interest Waived ☒ Not Applicable
☒ Special Monetary Assessment: \$ _____ ☐ Due Immediately ☐ As Directed: _____ ☐ N/A

STANDARD CONDITIONS as previously adopted by this court including the following additional conditions:

☒ Controlled Substances (shall not illegally possess): ☒ Drug Testing ☐ Drug Testing Waived
☒ Firearm, Ammunition, et al. (shall not possess) ☐ Special Computer Restriction Conditions
☒ DNA Sample (cooperate with and submit to collection) ☐ Special Financial Conditions ☐ Restitution Conditions
☐ Alcohol Abstinence Condition ☒ Special Search and Seizure Conditions
☐ Immigration/Naturalization Conditions ☐ Special Sex Offender Conditions
☐ Workforce Development Condition ☒ Special Substance Abuse and Testing Conditions
☒ Mental Health Treatment Conditions ☐ To include inpatient treatment
☐ Special Gambling Restriction Conditions ☐ To include treatment program for gambling addiction
☐ Community Service Conditions: For _____ hours to be performed
☐ Community Confinement Conditions: For _____ months in confinement and allowed to maintain employment
☐ Curfew Condition: ☐ Home Detention Condition: For _____ months to commence within _____ hours of sentencing/release from imprisonment and to include electronic monitoring at the discretion of the Probation Officer.
 Entire cost of the electronic monitoring shall be paid by: ☐ Prob ☐ Deft

☒ Defendant advised of right to appeal Court recommends to BOP:
☐ Defendant gives oral notice of appeal ☒ Designate a facility located near or in: Texarkana Prison Camp
☐ Appeal affidavit required ☒ Residential Drug Abuse Treatment ☐ Mental/Medical Evaluation
☐ Bond exonerated ☐ Other: _____
☐ Deft to self surrender to designated institution by noon on: _____, U.S.M. to advise of institution; ☐ Appeal Bond set: \$ _____ (☐ Cash or ☐ Surety); ☐ Findings made
☐ Remaining counts ordered dismissed: _____ ☐ Findings made
☒ Defendant remanded to custody of U.S. Marshal

Additional Minutes: The Final Order of Forfeiture of Currency, Firearms, and Ammunition (Doc. 44) is hereby incorporated by reference.